

§ 309.23

16 CFR Ch. I (1–1–05 Edition)

the Society of Automotive Engineers, 400 Commonwealth Drive, Warrendale, PA, 15096-0001, or may be inspected at the Federal Trade Commission, Public Reference Room, room 130, 600 Pennsylvania Avenue, NW, Washington, DC, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to:

http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(3) To determine the estimated cruising range values for dedicated vehicles not required to comply with the provisions of 40 CFR part 600 (other than electric vehicles), you must possess a reasonable basis, consisting of competent and reliable evidence that substantiates the minimum and maximum number of miles the vehicle will travel between refuelings or rechargings that is claimed.

(b) *Dual-fueled vehicles.* (1) Estimated cruising range values for dual-fueled vehicles required to comply with the provisions of 40 CFR part 600 are to be calculated in accordance with the following:

(i) The lower range value for the vehicle while operating exclusively on alternative fuel shall be determined by multiplying the vehicle's estimated city fuel-economy by its alternative-fuel tank capacity, then rounding to the next lower integer value.

(ii) The upper range value for the vehicle while operating exclusively on alternative fuel shall be determined by multiplying the vehicle's estimated highway fuel-economy by its alternative-fuel tank capacity, then rounding to the next higher integer value.

(iii) The lower range value for the vehicle while operating exclusively on

conventional fuel shall be determined by multiplying the vehicle's estimated city fuel-economy by its conventional-fuel tank capacity, then rounding to the next lower integer value.

(iv) The upper range value for the vehicle while operating exclusively on conventional fuel shall be determined by multiplying the vehicle's estimated highway fuel-economy by its conventional-fuel tank capacity, then rounding to the next higher integer value.

(2) [Reserved]

(3) To determine the estimated cruising range values for dual-fueled vehicles not required to comply with the provisions of 40 CFR part 600 (other than electric vehicles), you must possess a reasonable basis, consisting of competent and reliable evidence, of:

(i) The minimum and maximum number of miles the vehicle will travel between refuelings or rechargings when operated exclusively on alternative fuel, and

(ii) The minimum and maximum number of miles the vehicle will travel between refuelings or rechargings when operated exclusively on conventional fuel.

[60 FR 26955, May 19, 1995, as amended at 69 FR 18803, Apr. 9, 2004]

§ 309.23 Recordkeeping.

Manufacturers required to comply this subpart shall establish, maintain, and retain copies of all data, reports, records, and procedures used to meet the requirements of this subpart for three years after the end of the model year to which they relate. They must be available for inspection by Federal Trade Commission staff members, or by people authorized by the Federal Trade Commission.

APPENDIX A TO PART 309—FIGURES FOR PART 309



Figure 1

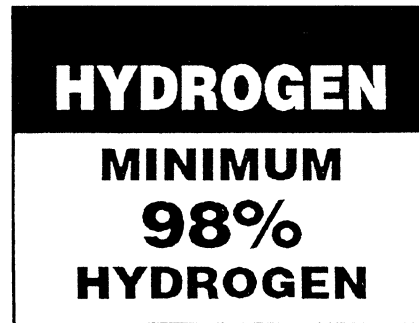


Figure 2

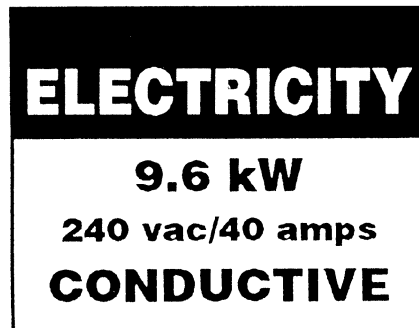


Figure 3

AFV Buyers Guide						
Compare the Cruising Range and Emissions of this Vehicle with Others Before You Buy.						
Manufacturer's Estimated Cruising Range						
440-520						
Miles on one tank or charge						
Actual cruising range will vary with options, driving conditions, driving habits, and the vehicle's condition.						
Emissions						
<input type="checkbox"/> This vehicle has not been certified as meeting an EPA emissions standard. <input type="checkbox"/> This vehicle meets the EPA emissions standard noted below.						
<div style="text-align: center;">▼</div> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> More Emissions </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 2px 5px;">Tier I</div> <div style="border: 1px solid black; padding: 2px 5px;">TLEV</div> <div style="border: 1px solid black; padding: 2px 5px;">LEV</div> <div style="border: 1px solid black; padding: 2px 5px; background-color: #ccc;">ULEV</div> <div style="border: 1px solid black; padding: 2px 5px;">ILEV</div> <div style="border: 1px solid black; padding: 2px 5px;">ULEV+ ILEV</div> <div style="border: 1px solid black; padding: 2px 5px;">ZEV</div> </div> <div style="text-align: center;"> Fewer Emissions </div> </div>						
The overall environmental impact of driving any vehicle includes many factors not currently measured by existing vehicle emissions standards.						
Please read back for important information.						

Figure 4

AFV Buyers Guide		
Compare the Cruising Range and Emissions of this Vehicle with Others Before You Buy.		
Manufacturer's Estimated Cruising Range		
400-480 Miles on one tank or charge exclusively on alternative fuel	440-520 Miles on one tank exclusively on gasoline/diesel	
Actual cruising range will vary with options, driving conditions, driving habits, and the vehicle's condition.		
Emissions		
<input type="checkbox"/> This vehicle has not been certified as meeting an EPA emissions standard. <input type="checkbox"/> This vehicle meets the EPA emissions standard noted below.		
▼		
More Emissions	<div> <div>Tier I</div> <div>TLEV</div> <div>LEV</div> <div>ULEV</div> <div>ULEV</div> <div>ULEV+</div> <div>ULEV</div> <div>ZEV</div> </div>	Fewer Emissions
The overall environmental impact of driving any vehicle includes many factors not currently measured by existing vehicle emissions standards.		
Please read back for important information.		

Figure 5

AFV Buyers Guide	
Compare the Cruising Range and Emissions of this Vehicle with Others Before You Buy.	
Manufacturer's Estimated Cruising Range	
400-480 Miles on one tank or charge exclusively on alternative fuel	440-520 Miles on one tank exclusively on gasoline/diesel
The total possible cruising range of this vehicle is the sum of the alternative fuel range and the conventional fuel range. Actual cruising range will vary with options, driving conditions, driving habits, and the vehicle's condition.	
Emissions	
<input type="checkbox"/> This vehicle has not been certified as meeting an EPA emissions standard. <input type="checkbox"/> This vehicle meets the EPA emissions standard noted below.	
▼	
More Emissions <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border: 1px solid black; padding: 2px;">Tier I</div> <div style="border: 1px solid black; padding: 2px;">TLEV</div> <div style="border: 1px solid black; padding: 2px;">LEV</div> <div style="border: 1px solid black; padding: 2px;">ULEV</div> <div style="border: 1px solid black; padding: 2px;">ILEV</div> <div style="border: 1px solid black; padding: 2px;">ULEV+ ILEV</div> <div style="border: 1px solid black; padding: 2px;">ZEV</div> </div>	Fewer Emissions
The overall environmental impact of driving any vehicle includes many factors not currently measured by existing vehicle emissions standards.	
Please read back for important information.	

Figure 5.1

Before selecting an Alternative Fueled Vehicle (AFV) make sure you consider:

- ☑ **FUEL TYPE:** Know which fuel(s) power this vehicle.
- ☑ **OPERATING COSTS:** Fuel and maintenance costs for AFVs differ from gasoline or diesel-fueled vehicles and can vary considerably.
- ☑ **PERFORMANCE/CONVENIENCE:** Vehicles powered by different fuels differ in their cold-start capabilities (i.e., ability to start a cold engine), refueling and/or recharging time (i.e., how long it takes to refill the vehicle's tank to full capacity), acceleration rates, and refueling methods.
- ☑ **FUEL AVAILABILITY:** Determine whether refueling and/or recharging facilities that meet your driving needs have been developed for this vehicle and will be readily available in your area.
- ☑ **ENERGY SECURITY/RENEWABILITY:** Consider where and how the fuel powering this vehicle is typically produced.

Additional Information**DEPARTMENT OF ENERGY (DOE)**

For more information about AFVs, contact DOE's National Alternative Fuels Hotline, 1-800-423-1DOE, and ask for its free brochure.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA)

For more information about vehicle safety, contact NHTSA's Auto Safety Hotline, 1-800-424-9393.

The information on this label is required by the Federal Trade Commission, 16 CFR Part 309.

Figure 6

AFV Buyers Guide

**Before selecting an Alternative Fueled Vehicle (AFV)
make sure you consider:**

- ☑ **FUEL TYPE:** Know which fuel(s) power this vehicle.
- ☑ **OPERATING COSTS:** Fuel and maintenance costs for AFVs differ from gasoline or diesel-fueled vehicles and can vary considerably.
- ☑ **ENVIRONMENTAL IMPACT:** All vehicles (conventional and AFVs) affect the environment directly (e.g., tailpipe emissions) and indirectly (e.g., how the fuel is produced and brought to market). Compare the environmental costs of driving an AFV with a gasoline-powered vehicle.
- ☑ **PERFORMANCE/CONVENIENCE:** Vehicles powered by different fuels differ in terms of the cruising range (i.e., how many miles the vehicle will go on a full supply of fuel), cold start capabilities (i.e., ability to start a cold engine), refueling and/or recharging time (i.e., how long it takes to refill the vehicle's tank to full capacity), acceleration rates, and refueling methods.
- ☑ **FUEL AVAILABILITY:** Determine whether refueling and/or recharging facilities that meet your driving needs have been developed for this vehicle and will be readily available in your area.
- ☑ **ENERGY SECURITY/RENEWABILITY:** Consider where and how the fuel powering this vehicle is typically produced.

Please read back for important information.

Figure 7

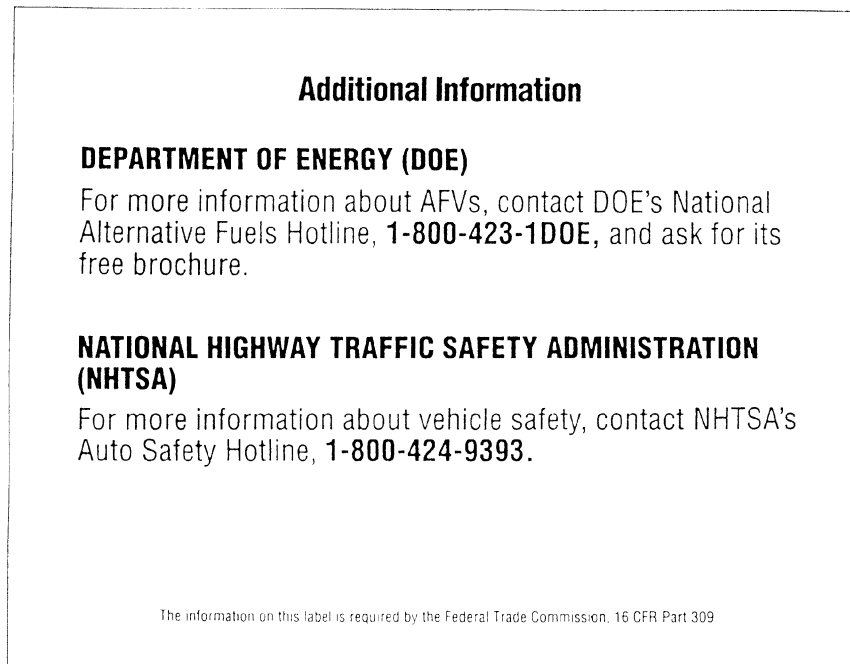


Figure 8

EFFECTIVE DATE NOTE: At 69 FR 55339, Sept. 14, 2004, appendix A to part 309 was amended by removing Figures 7, and 8 and revising Figures 4, 5, 5.1, and 6, effective March 31, 2005. For the convenience of the user, the revised text is set forth as follows:

APPENDIX A TO PART 309—FIGURES FOR
PART 309

* * * * *

ALTERNATIVE FUELED VEHICLE BUYERS GUIDE	
Compare the Cruising Range of this Vehicle with Other Alternative Fueled Vehicles (AFVs) Before You Buy	
Manufacturer's Estimated Cruising Range	
<div>440-520</div> Miles on one tank or charge.	
Actual cruising range will vary with options, driving conditions, driving habits, and vehicle condition.	
Before Selecting An Alternative Fueled Vehicle Consider:	
<input checked="" type="checkbox"/>	FUEL TYPE AND AVAILABILITY: Know which fuel(s) power this vehicle. Determine whether refueling and/or recharging facilities that meet your driving needs are readily available.
<input checked="" type="checkbox"/>	OPERATING COSTS: Fuel and maintenance costs for AFVs differ from gasoline or diesel-fueled vehicles and can vary considerably. Visit www.fueleconomy.gov .
<input checked="" type="checkbox"/>	PERFORMANCE/CONVENIENCE: Vehicles powered by different fuels differ in their ability to start a cold engine, how long it takes to refill the vehicle's tank to full capacity, acceleration rates, and refueling methods.
<input checked="" type="checkbox"/>	ENERGY SECURITY/RENEWABILITY: Consider where and how the fuel powering this vehicle is typically produced.
<input checked="" type="checkbox"/>	EMISSIONS: Emissions are an important factor. For more information about how the vehicle you are considering compares to others, visit www.epa.gov/greenvehicle .
Additional Information	
DEPARTMENT OF ENERGY (DOE) For more information about AFVs, contact DOE's National Alternative Fuels Hotline, 1-800-423-1DOE, or visit DOE's Alternative Fuels Data Center website, www.afdc.doe.gov .	
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA) For more information about vehicle safety, contact NHTSA's Auto Safety Hotline, 1-800-424-9393.	
The information on this label is required by the Federal Trade Commission, 16 CFR Part 309. For more information call toll-free (877) FTC-HELP or visit www.ftc.gov .	
Space Reserved for Part Numbers, Bar Codes, and Vehicle Identification Numbers	

← 7.5 inches →

← 7 inches →

Figure 4

ALTERNATIVE FUELED VEHICLE BUYERS GUIDE

**Compare the Cruising Range of this Vehicle with
Other Alternative Fueled Vehicles (AFVs) Before You Buy**

Manufacturer's Estimated Cruising Range	
400-480 Miles on one tank or charge exclusively on alternative fuel	440-520 Miles on one tank exclusively on gasoline/diesel

Actual cruising range will vary with options, driving conditions, driving habits and vehicle condition.

Before Selecting An Alternative Fueled Vehicle Consider:

- ☒ **FUEL TYPE AND AVAILABILITY:** Know which fuel(s) power this vehicle. Determine whether refueling and/or recharging facilities that meet your driving needs are readily available.
- ☒ **OPERATING COSTS:** Fuel and maintenance costs for AFVs differ from gasoline or diesel-fueled vehicles and can vary considerably. Visit www.fueleconomy.gov.
- ☒ **PERFORMANCE/CONVENIENCE:** Vehicles powered by different fuels differ in their ability to start a cold engine, how long it takes to refill the vehicle's tank to full capacity, acceleration rates, and refueling methods.
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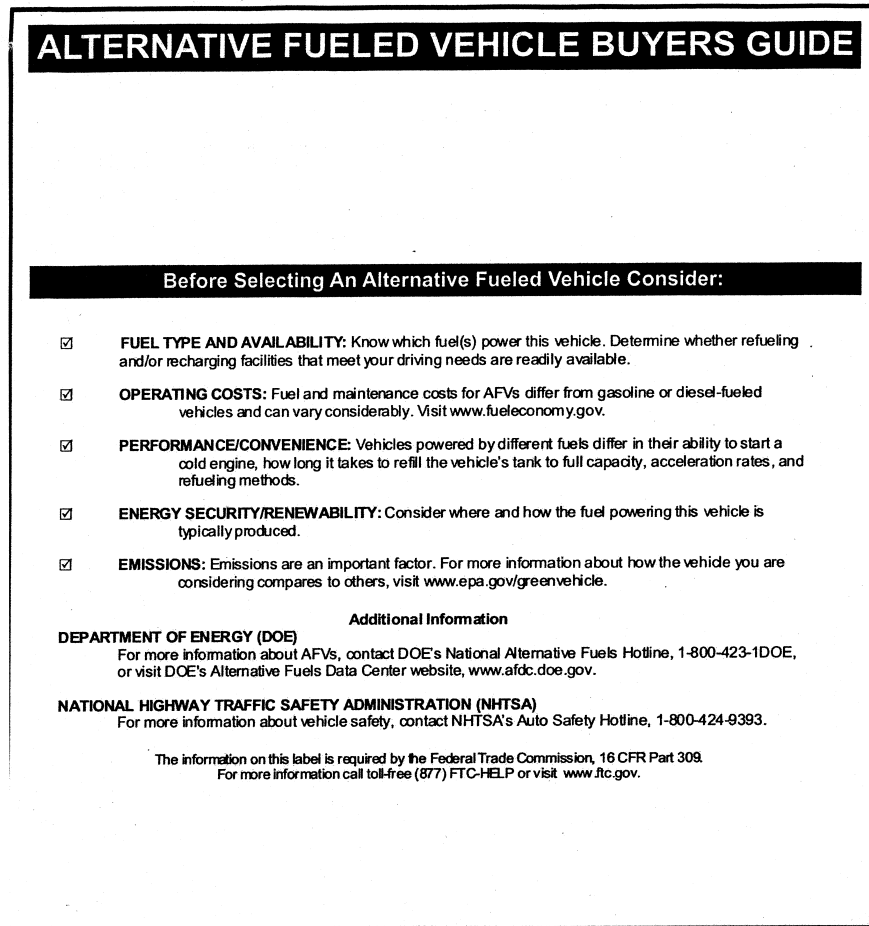
Figure 5

ALTERNATIVE FUELED VEHICLE BUYERS GUIDE	
<p align="center">Compare the Cruising Range of this Vehicle with Other Alternative Fueled Vehicles (AFVs) Before You Buy</p>	
Manufacturer's Estimated Cruising Range	
400-480 Miles on one tank or charge exclusively on alternative fuel	440-520 Miles on one tank exclusively on gasoline/diesel
<p>The total possible cruising range of this vehicle is the sum of the alternative fuel range and the conventional fuel range. Actual cruising range will vary with options, driving conditions, driving habits, and vehicle condition.</p>	
Before Selecting An Alternative Fueled Vehicle Consider:	
<ul style="list-style-type: none"> <input checked="" type="checkbox"/> FUEL TYPE AND AVAILABILITY: Know which fuel(s) power this vehicle. Determine whether refueling and/or recharging facilities that meet your driving needs are readily available. <input checked="" type="checkbox"/> OPERATING COSTS: Fuel and maintenance costs for AFVs differ from gasoline or diesel-fueled vehicles and can vary considerably. Visit www.fueleconomy.gov. <input checked="" type="checkbox"/> PERFORMANCE/CONVENIENCE: Vehicles powered by different fuels differ in their ability to start a cold engine, how long it takes to refill the vehicle's tank to full capacity, acceleration rates, and refueling methods. <input checked="" type="checkbox"/> ENERGY SECURITY/RENEWABILITY: Consider where and how the fuel powering this vehicle is typically produced. <input checked="" type="checkbox"/> EMISSIONS: Emissions are an important factor. For more information about how the vehicle you are considering compares to others, visit www.epa.gov/greenvehicle. 	
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↑ 7.5 inches ↓

← 7 inches →

Figure 5.1



← 7 inches →

Figure 6

PART 310—TELEMARKETING SALES RULE

Sec.

310.1 Scope of regulations in this part.

310.2 Definitions.

310.3 Deceptive telemarketing acts or practices.

310.4 Abusive telemarketing acts or practices.

310.5 Recordkeeping requirements.

310.6 Exemptions.

310.7 Actions by states and private persons.

310.8 Fee for access to the National Do Not Call Registry.

310.9 Severability.

AUTHORITY: 15 U.S.C. 6101-6108.

SOURCE: 68 FR 4669, Jan. 29, 2003, unless otherwise noted.

§ 310.1 Scope of regulations in this part.

This part implements the Telemarketing and Consumer Fraud and Abuse Prevention Act, 15 U.S.C. 6101-6108, as amended.